

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GURSON OSWALD GOURZONG,	:	CIVIL NO. 3:15-CV-1969
	:	
Petitioner,	:	
	:	
v.	:	(Judge Mariani)
	:	
CRAIG A. LOWE,	:	(Magistrate Judge Schwab)
	:	
	:	
	:	
Respondents.	:	

**ORDER**

January 11, 2016

Based on this Court's Memorandum Order (*doc. 15*), **IT IS ORDERED** as follows:

1. On or before **January 25, 2016**, the Immigration Judge shall afford Gourzong an individualized bail hearing.
  
2. At this hearing, the Immigration Judge must make an individualized inquiry into whether detention is still necessary to fulfill the purposes of ensuring that Gourzong attends removal proceedings and that his release will not pose a danger to the community. *Chavez–Alvarez v. Warden York Cnty. Prison*, 783 F.3d 469, 475 (3d Cir. 2015). Moreover, at this hearing, the Government bears the burden of presenting evidence and proving that continued detention is necessary to fulfill the purposes of the detention statute. *Diop v. ICE/Homeland Sec.*, 656 F.3d 221, 233 (3d Cir. 2011).

3. The parties shall report to this Court on the outcome of this individualized bail determination on or before **January 27, 2016**.

4. If necessary, this Court will conduct a bail determination, under the standards governing bail in habeas corpus proceedings, at a hearing which is scheduled for **February 1, 2016 at 10:00 a.m.** in Courtroom 5, United States Courthouse, Harrisburg, Pennsylvania.

5. The **Clerk of Court** is directed to change the caption of Respondent “MARY SABOL” to “CRAIG A. LOWE.”

**S/ Susan E. Schwab**

Susan E. Schwab

United States Magistrate Judge